



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/045,604

10/23/2001

Kevin J. Dowling

CI 104.70087US00

3464

23628

7590

06/16/2006

WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2206

EXAMINER

A, MINH D

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/045,604

Applicant(s)

DOWLING ET AL.

Examiner

Minh D A

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims pending in the application are 1-37,53-56,61-66,68,69,71-92,95-129,143-152,154-157,166-213,229-232,237-242,244-246 and 248-309.

Continuation of Disposition of Claims: Claims rejected are 1-37,53-56,61-66,68,69,71-92,95-129,143-152,154-157,166-213,229-232,237-242,244-246 and 248-309.

**DETAILED ACTION**

This is a response to the Applicant's filing on. In virtue of this filing, claims 1-37, 53-56, 61-66, 68-69, 70-92, 95-129, 143-152, 154-157, 166-213, 229-232, 237-242, 244-246, 248-309, 323-341 are currently presented in the instant applicant.

Applicant's communication filed on 1/19/06 has been carefully considered by the examiner. The arguments advanced therein are persuasive with respect to the rejection of record, and those rejection are accordingly withdraw. In view of a further consideration, however, a new rejection is set forth below. This action is not made final.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 32, 50, 53, 65, 68,126, 143, 154, 177,202, 208, 229, 237,241, 244, and 306 are rejected under 35 U.S.C. 102(e) as being unpatentable by Nagata (US 6,304,287).

Regarding claims 1, 32, 50, 53, 65, 68,126, 143, 154, 177,202, 208, 229, 237,241, 244, and 306, figures 9-10, Nagata discloses a display screen (monitor (103)) comprising: (remote control unit (5) or control (105) having light source (LEDS) for providing a source of computer application content for display on a display screen

Art Unit: 2821

(monitor (103)); a light source (107) for providing an illumination source for illuminating an environment that is related to the display screen (103); and coordinating the illumination source(107) to illuminate the environment in relationship to the computer application content on the display screen(103). See figures 1-10, col.3, lines 10-67 to col.6, lines 1-63.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-25, 26-31, 33-37, 51-52, 54-56, 61-64, 71-92, 95-125, 127-129, 144-152, 155-157, 166-176, 178-201, 203-207, 209-213, 229-232, 238-240, 242, 245-246, 248-305, 307, 323, 335 and 337 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Nagata (US 6,304,287) in view of Kenet (US, 5,475,364).

Regarding claims 2-4, 10-11, 16-25, 30-31, 51-52, 62-64, 72-89, 94, 112-125, 127-129, 227-228, Nagata essentially discloses the claimed invention but does not explicitly disclose an illumination source capable of illuminating an environment with a plurality of colors.

Kenet discloses an illumination source (LEDs) capable of illuminating an environment with a plurality of colors. See figures 2, and 14, col.6, lines 54-67 to col.11, lines 1-67 and col.14, lines 54-67 to col.16, lines 3-67.

Art Unit: 2821

It would have been an obvious to one of ordinary skill in the art at the time the invention was made to employ an illumination source (LEDs) capable of illuminating an environment with a plurality of colors such as that suggested by Kenet in the room and computer game of Nagata to providing a plurality colors.

Regarding claims 26, 61, 71, 166, 248, 323, 335, Nagata essentially discloses the claimed invention but does not explicitly disclose an illumination source capable of illuminating an environment with a plurality of colors.

Kenet discloses an illumination source (LEDs) capable of illuminating an environment with a plurality of colors. See figures 1-2, and 14, col.6, lines 54-67 to col.11, lines 1-67 and col.14, lines 54-67 to col.16, lines 3-67.

It would have been an obvious to one of ordinary skill in the art at the time the invention was made to employ an illumination source (LEDs) capable of illuminating an environment with a plurality of colors such as that suggested by Kenet in the room and computer game of Nagata to providing a plurality colors such as (red , green or yellow).

#### ***Citation of relevant prior art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Yoshida et al (U.S. Patent No. 6,012,980) discloses a coordinate detecting device and game device.

Prior art Bae (U.S. Patent No. 4,395,045) discloses television precision target shooting apparatus and method..

Art Unit: 2821

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**SHIH-CHAO CHEN**  
**PRIMARY EXAMINER**

Examiner

Minh A

Art Unit 2821

6/11/06